

REMARKS

This application has been carefully reviewed in light of the Office Action dated November 29, 2006. Claims 1 and 4 are presented for examination, of which Claim 1 is in independent form. Claim 1 has been amended to define still more clearly what Applicant regards as his invention. Reconsideration and further examination are respectfully requested.

Claim 1 has been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,071,297 (Lietz et al.). Claim 4 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Lietz et al. in view of U.S. Patent No. 4,652,109 (Tsunekawa et al.). Reconsideration and withdrawal of this rejection are respectfully requested.

Turning to specific claim language, amended independent Claim 1 is directed to an image pickup apparatus, including an output unit which outputs a first electric signal corresponding to a first light flux included in light fluxes respectively from different areas dividing an exit pupil area of an imaging optical system, and a second electric signal corresponding to a second light flux different from the first light flux, included in the light fluxes. The apparatus also includes a plurality of pixel units each including a first sensitive area for outputting the first electric signal, and a second sensitive area for outputting the second electric signal. The first sensitive area and the second sensitive area are arranged to each include a sensitive area so that the first light flux and the second light flux overlap each other on a light receiving surface of the sensitive area.

Among other notable features of Claim 1 is that the first sensitive area and the second sensitive area are arranged to each include a sensitive area so that the first light flux and the second light flux overlap each other on a light receiving surface of the sensitive area.

Lietz discloses, an optical apparatus including a pupil having different areas through which light passes, a refracting cone 6 having a stop 2' provided in a central portion of a light-incident surface of the cone 6, and a photoelectric receiver 5. Light passes from an area 1'' of the pupil through the refracting cone 6, and reaches receiver 5 as bundles of rays. The stop 2' of the refracting cone 6 prevents bundles of rays passing through other areas of the pupil from affecting the receiver 5. Thus, Lietz does not teach or suggest a first light flux included in light fluxes respectively from different areas dividing an exit pupil area of an imaging optical system, a second light flux different from the first light flux, included in the light fluxes; and a first sensitive area and a second sensitive area arranged to each include a sensitive area so that the first light flux and the second light flux overlap each other on a light receiving surface of the sensitive area.

Therefore, Lietz does not teach or suggest all of the features of Applicant's invention as claimed in independent Claim 1. Accordingly, Applicant submits that Claim 1 is in condition for allowance and respectfully requests same.

Claim 4 is dependent from independent Claim 1 discussed above and is therefore believed allowable for at least the same reasons. However, Claim 4 is also deemed to define an additional aspect of the invention, the individual consideration Claim 4 on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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